

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION**

CIVIL CASE NO. 2:11cv29

FRANCIS ALLEN,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Consent Motion for Entry of Order Accepting the Parties' Settlement Agreement on Attorney's Fees . [Doc. 18].

The parties agree the appropriate award of attorney's fees is the amount of Three Thousand Eight Hundred Twenty-Four Dollars and Fifty-Two Cents (\$3,824.52) in full satisfaction of any and all claims by the Plaintiff in this case pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. §2412(d). The parties also acknowledge the Plaintiff's signed assignment of EAJA fees dated September 18, 2011 pursuant to which the Plaintiff assigned any awarded EAJA fees to his attorney. [Doc. 18]. The Court finds that the Commissioner

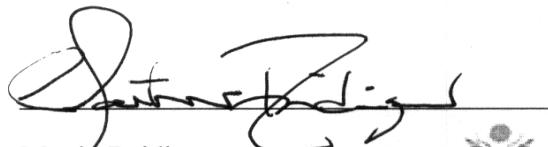
should accept this assignment of the awarded fees by the Plaintiff to his attorney and shall pay that award of fees directly to Plaintiff's counsel provided it is shown that as of the date of this Order, the Plaintiff does not owe any debt to the United States Government which is subject to offset. Astrue v. Ratliff, ___ U.S. ___, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010).

IT IS, THEREFORE, ORDERED that the Consent Motion for Entry of Order Accepting the Parties' Settlement Agreement on Attorney's Fees [Doc. 18] is hereby **GRANTED** and the Plaintiff is hereby awarded attorney's fees in the amount of Three Thousand Eight Hundred Twenty-Four Dollars and Fifty-Two Cents (\$3,824.52) which sum is in full satisfaction of any and all claims by the Plaintiff in this case pursuant to 28 U.S.C. §2412(d).

IT IS FURTHER ORDERED that the Commissioner shall inform Plaintiff's counsel whether the Plaintiff owes a debt to the Government by which this fee award may be offset no later than thirty (30) days from entry of this Order.

IT IS FURTHER ORDERED that no additional Petition pursuant to 28 U.S.C. §2412(d) may be filed.

Signed: March 27, 2012


Martin Reidinger
United States District Judge

